



General Assembly

January Session, 2001

Committee Bill No. 5600

LCO No. 4670

Referred to Committee on Education

Introduced by:
(ED)

**AN ACT FACILITATING THE ESTABLISHMENT OF AN
INTERDISTRICT MAGNET SCHOOL IN DANBURY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (a) Notwithstanding any provision of the general statutes
2 to the contrary, the Board of Trustees for the Connecticut State
3 University System shall convey a parcel of land located on the
4 Westside Campus of Western Connecticut State University in the city
5 of Danbury, having an area of approximately 7.026 acres, to the city of
6 Danbury. Said parcel of land is described as follows: Beginning at a
7 point on the westerly highway line of Middle River Road, so-called,
8 which point marks the southeasterly corner of the property, now or
9 formerly of Mohammed R. and Nasreen Alam and the northeasterly
10 corner of the herein described parcel, thence running in a southerly
11 direction along the westerly highway line of said Middle River Road
12 on a course bearing S40-26-48E, a distance of 374.94' to a point, which
13 point marks the southeasterly corner of the herein described parcel,
14 thence turning and running in a westerly and northerly direction
15 through the property of the state of Connecticut the following courses
16 and distances:

17 S 60-04-24 W 747.51'

18 N 38-07-42 W 469.33'

19 to a point, which marks the northeasterly corner of the herein
20 described parcel at a point on the northerly property line of the State of
21 Connecticut and the southerly property line of land now or formerly of
22 Paul A. and Edalina L. Novack, thence turning and running in an
23 easterly direction along the southerly property line of said Paul A. and
24 Edalina L. Novack and land now or formerly of Mohammed R. and
25 Nasreen Alam, each in part the following courses and distances:

26 N 68-14-12 E 175.29'

27 N 67-53-02 E 221.53'

28 N 66-40-52 E 335.38'

29 to a point and place of beginning. The conveyance shall be subject to
30 the approval of the State Properties Review Board.

31 (b) The city of Danbury shall use said parcel of land for the
32 development of a regional magnet school. If the city of Danbury:

33 (1) Does not use said parcel for said purposes;

34 (2) Does not retain ownership of all of said parcel; or

35 (3) Leases all or any portion of said parcel for any other
36 purpose, the parcel shall revert to the state.

37 (c) The State Properties Review Board shall complete its review of
38 the conveyance of said parcel of land not later than thirty days after it
39 receives a proposed agreement from said Board of Trustees. The land
40 shall remain under the care and control of said Board of Trustees until
41 a conveyance is made in accordance with the provisions of this section.
42 The State Treasurer shall execute and deliver any deed or instrument
43 necessary for a conveyance under this section, which shall include
44 provisions to carry out the purposes of subsection (b) of this section.
45 The Commissioner of Public Works shall have the sole responsibility
46 for all other incidents of such conveyance.

47 (d) Notwithstanding the provisions of chapter 173 of the general

48 statutes and the regulations adopted by the State Board of Education
49 pursuant to section 10-287c of the general statutes, off-site
50 infrastructure improvements and utility extensions that are required
51 for the development of the regional magnet school and are constructed
52 on the portion of the Westside Campus of Western Connecticut State
53 University that is not conveyed to the city of Danbury under this
54 section shall be deemed to be eligible costs for school building projects
55 under said chapter 173 of the general statutes and said regulations.
56 Said infrastructure improvements and utility extensions shall include a
57 roadway and sanitary sewer, electrical service and other such
58 improvements and extensions as said Board of Trustees deems
59 necessary to carry out the purposes of this section.

60 Sec. 2. (a) Notwithstanding any provision of the general statutes to
61 the contrary, the city of Danbury shall convey a parcel of land located
62 in the city of Danbury, having an area of approximately 6 acres,
63 including any temporary or permanent buildings on said parcel that
64 are owned by the city of Danbury, to the Board of Trustees for the
65 Connecticut State University System, for use by Western Connecticut
66 State University. Said parcel of land is described as the Roberts
67 Avenue Elementary School property and associated roadways.

68 (b) Said conveyance shall be made for a cost equal to the sum of (1)
69 the fair market value of said parcel, as determined by an independent
70 appraisal which the Commissioner of Public Works shall obtain, and
71 (2) one hundred thousand dollars for acquisition and related closing
72 costs. The city of Danbury shall execute and deliver any deed or
73 instrument necessary for said conveyance, which shall include
74 provisions to carry out the purposes of the conveyance.

75 (c) After said conveyance, said Board of Trustees shall lease said
76 parcel of land to the city of Danbury to enable the city to continue to
77 operate the Roberts Avenue Elementary School until (1) completion of
78 construction of a new elementary school to replace the Roberts Avenue
79 Elementary School, or (2) the end of a five-year period that begins on

80 the date of said conveyance, whichever is earlier. The city of Danbury
81 shall not be required to pay rent or other costs under said lease, except
82 for the payment of necessary utility, insurance and maintenance
83 expenses for the operation of the Roberts Avenue Elementary School.
84 The city of Danbury shall indemnify, defend and hold harmless the
85 state and its successors and assigns from and against all (A) actions,
86 suits, claims, investigations or legal, administrative or arbitration
87 proceedings pending or threatened, whether at law or in equity, in any
88 forum arising out of acts or omissions by the city or any of its
89 members, directors, officers, representatives, agents, servants,
90 consultants, employees or any other person or entity with whom the
91 city is in privity of oral or written contract, in furtherance of said lease,
92 (B) liabilities arising out of the negligence of the city or any such
93 person or entity concerning the duties and obligations of the city or
94 any such person or entity as set forth in said lease, and (C) damages,
95 losses, costs and expenses, including but not limited to, attorneys' and
96 other professionals' fees, that may arise out of such actions, suits,
97 claims, investigations or legal, administrative or arbitration
98 proceedings or liabilities for bodily injury, death or property damage.
99 The city shall reimburse the state, in such amount as the state
100 reasonably determines, for any and all damage to the real or personal
101 property of the state caused by negligent acts of the city or any parties
102 of the city under said lease.

103 Sec. 3. (a) For the purposes described in subsection (b) of this
104 section, the State Bond Commission shall have the power, from time to
105 time, to authorize the issuance of bonds of the state in one or more
106 series and in principal amounts not exceeding in the aggregate ____
107 dollars.

108 (b) The proceeds of the sale of said bonds, to the extent of the
109 amount stated in subsection (a) of this section, shall be used by the
110 Board of Trustees for the Connecticut State University System for the
111 purchase of the land and buildings described in section 2 of this act
112 from the city of Danbury.

113 (c) All provisions of section 3-20 of the general statutes, or the
114 exercise of any right or power granted thereby, which are not
115 inconsistent with the provisions of this section are hereby adopted and
116 shall apply to all bonds authorized by the State Bond Commission
117 pursuant to this section, and temporary notes in anticipation of the
118 money to be derived from the sale of any such bonds so authorized
119 may be issued in accordance with said section 3-20 and from time to
120 time renewed. Such bonds shall mature at such time or times not
121 exceeding twenty years from their respective dates as may be provided
122 in or pursuant to the resolution or resolutions of the State Bond
123 Commission authorizing such bonds. None of said bonds shall be
124 authorized except upon a finding by the State Bond Commission that
125 there has been filed with it a request for such authorization which is
126 signed by or on behalf of the Secretary of the Office of Policy and
127 Management and states such terms and conditions as said commission,
128 in its discretion, may require. Said bonds issued pursuant to this
129 section shall be general obligations of the state and the full faith and
130 credit of the state of Connecticut are pledged for the payment of the
131 principal of and interest on said bonds as the same become due, and
132 accordingly and as part of the contract of the state with the holders of
133 said bonds, appropriation of all amounts necessary for punctual
134 payment of such principal and interest is hereby made, and the State
135 Treasurer shall pay such principal and interest as the same become
136 due.

137 Sec. 4. This act shall take effect from its passage, except that section
138 3 shall take effect July 1, 2001.

Statement of Purpose:

To facilitate the Connecticut State University System's assistance to the city of Danbury in establishing the new regional magnet school, and to authorize Western Connecticut State University to make certain improvements for the enhancement of its campuses.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. GODFREY, 110th Dist.; REP. BOUGHTON, 138th Dist.
REP. WALLACE, 109th Dist.; SEN. CAPPIELLO, 24th Dist.